



THE LAW SOCIETY
OF NEW SOUTH WALES

Our ref:GUcm1070504

4 January 2016

Mr Rick O'Brien
Chair, Family Law Section
Law Council of Australia
GPO Box 1989
CANBERRA ACT 2601

By email: mail@familylawsection.org.au

Dear Mr O'Brien,

Inquiry into the Courts Administration Legislation Amendment Bill 2015

I am writing on behalf of the Family Issues Committee of the Law Society of New South Wales. The Committee represents the Law Society on family law issues as they relate to the legal needs of people in NSW and includes experts drawn from the ranks of the Law Society's membership.

The Committee understands that the Courts Administration Legislation Amendment Bill 2015 (Cth) will merge the corporate services functions of the Federal Court of Australia with those of the Family Court and Federal Circuit Court, and bring the courts together as a single administrative entity. The Committee notes that the merging of these functions is expected to save \$9.4 million over six years to 2020-21 and \$5.4 million annually after that.

The Committee welcomes the commitment made by the Attorney-General, Senator the Hon George Brandis QC, to reinvest these savings back into the court system. However, the Committee remains concerned about the lack of judicial resources in the Family Court and the Federal Circuit Court. Judges in these courts are under significant pressure due to increasing workloads and a failure to fill judicial vacancies. This has resulted in unacceptable delays – as at December 2015, the earliest first return date for matters filed in the Sydney Registry is May 2016, with delays exceeding three years for some matters to reach trial.

The Committee calls on the Government to urgently address this issue by securing adequate judicial resourcing in both the Family Court and Federal Circuit Court, and ensuring that judges are replaced in a timely manner.

Please contact Chelly Milliken, Policy Lawyer for the Family Issues Committee, on (02) 9926 0218 or by email to chelly.milliken@lawsociety.com.au if you have any questions in relation to this letter.

Yours sincerely,

Gary Ulman
President

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